

\*\*E-filed 8/7/06\*\*

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Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,	)	<b>No. C 03-1920 JF</b>
	)	
14 Plaintiff,	)	<b>STIPULATION AND [PROPOSED] ORDER</b>
	)	<b>EXTENDING STAY AND VACATING CASE</b>
15 v.	)	<b>MANAGEMENT CONFERENCE</b>
	)	
16 MISCELLANEOUS FIREARMS,	)	
17 SILENCERS AND AMMUNITION,	)	
	)	
18 Defendant.	)	

19 Plaintiff, United States of America, and Prospective Claimant Kevin Dugan, through  
20 undersigned counsel, hereby apply to the Court for a further order extending the stay of this  
21 matter and vacating the case management conference currently scheduled for August 4, 2006. In  
22 this in rem civil action, plaintiff seeks to forfeit certain firearms, silencers and ammunition  
23 alleged to have been illegally possessed by Kevin Dugan. As reported in the last request for an  
24 extension staying this action, Dugan is a prospective claimant in this action,<sup>1</sup> which is based, in  
25 large part, on the allegations at issue in the pending criminal action (United States v. Kevin  
26 Dugan, CR 03-20010 JF) . The Court has previously entered orders staying this matter pending  
27 resolution of the ongoing criminal proceeding. Pretrial motions in the related criminal case are  
28 currently scheduled for September 13, 2006. The factual predicate for entry of the stay has not

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<sup>1</sup>Dugan has not yet filed a claim or Answer in the civil forfeiture action, but has advised the government and the Court that he intends to so.

changed. Accordingly, the parties hereby request that the Court extend the stay in this matter and continue the case management conference until Friday, November <sup>17 5PM</sup> 19, 2006, or a date convenient for the Court.


Dated: 8/3/06

Respectfully submitted,

KEVIN V. RYAN  
United States Attorney

  
STEPHANIE M. HINDS  
Assistant United States Attorney

Dated:

  
DANIEL HALPERN  
Attorney for Prospective Claimant Kevin Dugan

**[PROPOSED] ORDER**

IT IS SO ORDERED. The captioned civil forfeiture case shall be stayed pursuant to 18 U.S.C. § 981(g)(1) and (2) until the conclusion of the related district court criminal case, CR 03-20010 JF. The case management conference currently scheduled for August 4, 2006 is vacated. The matter is continued for further status until Friday, November <sup>17 5PM</sup> 19, 2006, or a date convenient for the Court.

Dated: 8/7/06

  
JEREMY FOGEL  
United States District Judge

changed. Accordingly, the parties hereby request that the Court extend the stay in this matter and  
continue the case management conference until Friday, November 10, 2006, or a date convenient  
for the Court.

Dated:

Respectfully submitted,

KEVIN V. RYAN  
United States Attorney

STEPHANIE M. HINDS  
Assistant United States Attorney

Dated: 8/3/06

DANIEL HALPERN  
Attorney for Prospective Claimant Kevin Dugan

**PROPOSED ORDER**

IT IS SO ORDERED. The captioned civil forfeiture case shall be stayed pursuant to 18  
U.S.C. § 981(g)(1) and (2) until the conclusion of the related district court criminal case, CR 03-  
20010 JF. The case management conference currently scheduled for August 4, 2006 is vacated.  
The matter is continued for further status until Friday, November 10, 2006, or a date convenient  
for the Court.

Dated:

JEREMY FOGEL  
United States District Judge

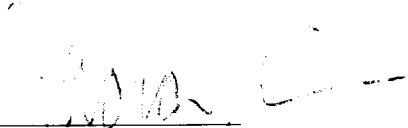
STIPULATION AND (PROPOSED) ORDER EXTENDING STAY AND  
VACATING CASE MANAGEMENT CONFERENCE  
C 03-1920 JF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she caused a copy of **STIPULATION AND [PROPOSED] ORDER EXTENDING STAY AND VACATING CASE MANAGEMENT CONFERENCE** to be served this date by electronic delivery upon the persons below at the place and address which is the last known address:

Daniel Halpern, Esq.  
Halpern & Halpern  
111 N. Market Street, Suite #1010  
San Jose, CA 95113

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 3<sup>rd</sup> day of August, 2006, at San Francisco, California.

  
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ALICIA CHIN  
Paralegal/ AFU